

CR
E

TANIKA L. STARKS
Attorney at Law
tstarkslawfirm@gmail.com
2900 Westfork Dr. Suite 401
Baton Rouge, La 70826
Phone: 225.800.2031
www.thestarksfirmllc.com

March 10, 2021

Louisiana Ethics Administration Program
P.O. Box 4368
Baton Rouge, Louisiana 70821

Via Certified Mail

RE: Board of Ethics Inquiry

To Whom It May Concern:

I represent a recently elected alderperson of the Town of White Castle. My client desires to donate a portion of his salary for the use of utility subsidy for the benefit of the town's citizens. Specifically, he intends provide five (5) utility vouchers for the town's citizens each month. His only concern is whether this action is legal and ethical under the law in his position as a local government public servant. Per my research, I found conflicting opinions provided by the Attorney General's Office and the Board of Ethics.

I understand that La R.S. 42:1113 and La. R.S. 42:1123(30) are the relevant statutes here, but these statutes have been interrupted differently by the entities when determining legality and ethicality. For example, Ethics Board Docket No. 2013-1470 suggests that it is permissible for a public servant to donate services, property or funds to his agency as long he is not appointed to a position of supervision. Additionally, when the Town of Amite questioned the validity of a Councilman's desire to decline health insurance from the town and donate funds that Town of Amite would otherwise expend for his family's medical insurance, the Louisiana Attorney General Office opined that the councilman was not in a position to do so as the funds remain property of the town.¹ However, if the Town officials, agree, those proceeds could have been donated back to the city in the manner desired by that Councilman. In contrast, Board of Ethics Docket No. 97-540 opined that the law prohibits a councilmember from donating half of their salary to town to create a fund to improve conditions to the town.

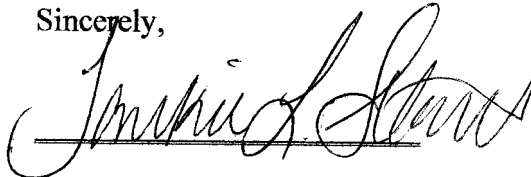
¹ See Op. Atty. Gen., No. 01-87, June 18, 2001.

RECEIVED
MAR 23 2021

The conflicting interpretations and opinions make it difficult to provide confident legal advice to my client, which is why we request the Board to provide a specific opinion and analysis for these particular facts.

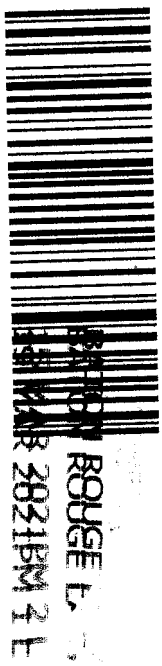
Thank you for consideration and patience in this matter. If you there are any questions, or if there requires information, please do not hesitate to contact my office. Your prompt assistance is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Tanika L. Starks", written over a horizontal line.

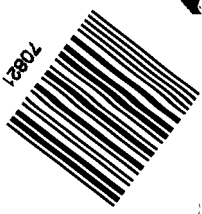
Tanika L. Starks, ESQ.

Tanika L. Starks, ESQ.
2900 Westfork Dr. Suite 401
Baton Rouge, La 70827



7015 0920 0002 0941 8459

Louisiana Ethics Administration Program
P.O. BOX 4368
Baton Rouge, La 70821



U.S. POSTAGE PAID
Baton Rouge, LA
MAR 15 21
AMOUNT
\$7.00
R2305H129540-50

70821-436666

